

**Board of Selectmen's Meeting Minutes**  
**December 30, 2010**  
**Harpswell Town Office**  
Approved on January 6, 2011

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**Selectmen Present:** James S. Henderson, Mark E. Wallace and Elinor Multer

**Staff Present:** Terri Sawyer, Deputy Town Administrator and Marguerite Kelly, Treasurer

**Call to Order and Pledge of Allegiance:** The meeting was called to order at 6:30 p.m.

The meeting was videotaped and broadcast live on Harpswell Community Television.

**1. Adoption of the Agenda:** Chairman Henderson moved, seconded by Selectman Wallace to adopt the agenda as printed; motion passed 3-0.

**2. Public Comment:** There was none.

**3. Town Administrator's Report:** Deputy Administrator Sawyer announced the Town Office will be closed on Friday December 31 and the Recycling Center/Transfer Station will close at 12:00 noon on Friday and will be closed on Saturday, January 1 in observance of New Year's Day

**4. Selectmen's Announcements:** Selectman Wallace encouraged everyone to drive slowly during inclement weather as snow and ice-covered roads can be dangerous no matter what vehicle type is being driven.

**5. Approval of the Minutes:** Chairman Henderson moved, seconded by Selectman Wallace to approve the December 16 minutes; motion passed 3-0.

**6. Authorize Treasurer to Sign Cash Management Agreement with TD Bank:** Marguerite Kelly, Treasurer, stated that TD Bank has expanded down the coast and is updating its agreement with entities to be uniform and to incorporate some industry changes. The Town currently has an Agreement and this is an update that continues to cover the services provided to the Town (e.g. positive pay, web express) and generally requires the Town to exercise due care with transactions and if not, the Bank is not liable. Page 11 requires the Agreement to be "duly authorized by a vote of the governing body" and Ms. Kelly requested the Board authorize her to sign the Agreement. Selectman Multer moved, seconded by Selectman Wallace to authorize the Treasurer to sign the Agreement. Chairman Henderson asked what "sweep accounts" mean; Ms. Kelly responded the Town has 3 accounts tied together and the Bank automatically transfers funds from one to another based on set criteria. Chairman Henderson questioned who the authorized users were; Ms. Kelly responded that she and Deputy Administrator Sawyer are authorized users. Every transaction requires input from both users for control purposes. Chairman Henderson questioned if Ms. Kelly is an authorized user by virtue of the Treasurer role; Ms. Kelly responded yes and as administrator she can authorize others and has. As Treasurer, Ms. Kelly is authorized to disburse funds for the Town and Ms. Sawyer is authorized for the bank use but may need to have more formal Town role approval. Chairman Henderson stated that by authorizing Ms. Kelly to sign the Agreement the Board is acknowledging that she is an authorized user and has the authority to designate others. Motion passed 3-0.

**7. Consider Curtis Memorial Library Memorandum of Understanding:** Chairman Henderson asked for public input regarding the memorandum of understanding (MOU) between the Curtis Memorial Library and the Town; no one commented. Chairman Henderson moved, seconded by Selectman Wallace for discussion purposes to approve the MOU. Selectman Multer moved to amend the MOU to limit the increase for the Harpswell share in the applicable year to a maximum of 3%. Selectman Multer stated she wanted this limit as the average increase to the Town in recent years exceeds 4% and in these difficult economic times it is unreasonable. Selectman Wallace seconded the motion. Chairman Henderson stated he was opposed to changing the MOU as it now only requires the Town to place on the warrant an amount equal to 10% of the

then current (July-June) fiscal year's total "municipal funding" (funding from Brunswick & Harpswell) for unrestricted operations, He noted that the Board could recommend less and leave it to the voters to decide. Chairman Henderson stated that the Town has experienced over 4% increases with other entities (Orr's Island Library, Cundy's Harbor Library and law enforcement services) and suggested limiting them on the same theory as Curtis Memorial. Selectman Multer suggested there is another option with Curtis Memorial Library – for individuals to have membership cards. Chairman Henderson reviewed his reasons for maintaining the current relationship with the Library including the outreach from a major library, extensive cooperation with local libraries, drop box availability, summer programs and no charge for cards [versus card fees]. Chairman Henderson stated requiring users to purchase cards will diminish access and may result in a cut in services. Selectman Wallace questioned if the number of library card users includes those that haven't been used recently; Liz Doucette, Curtis Memorial Library Director, responded the figure represents users that have checked out a book in the last year. Selectman Wallace stated he contacted the Library for a card for his daughter who lives in Alna and was quoted a price of \$65 and asked if it would be similar for Harpswell residents. Ms. Doucette responded it would be up to the Board of Directors and she noted that Brunswick pays much more than Harpswell as Brunswick covers all the capital costs plus 90% of the operational costs. Additionally, the Library fundraises to cover the cost of the new books. Selectman Wallace stated he is amazed this item passes every year since he hears so many people complaining about the topic. Ms. Doucette noted the vote ratio since the early 1980's has been about 40% no and 60% yes. Ms. Doucette noted the MOU relationship became effective in 2007 and since 2008 the average increase to Harpswell is less than 2%. There was a discussion regarding implementing a card system and the potential impact on users and Selectman Multer stated there may be options (and not just limited to a reimbursement-based process) on how the Town could pay for a user's card. Selectman Wallace stated he is not sure people are aware of all the library services such as book delivery to home-bound residents. Selectman Multer stated it is appropriate to negotiate the MOU with the Library. Chairman Henderson noted the current MOU expires 12/31. Chris Goodwin, President of the Library's Board of Directors, noted an amendment to the MOU is a rejection and would require negotiating a new one. Chairman Henderson suggested extending this MOU and then negotiate at a later date. Selectman Multer agreed as long as a date certain is included so that negotiations are done before next year's MOU. Selectman Multer noted she has been and continues to be a supporter of the Curtis Memorial Library and her interest in limiting the budget increase does not change that. The process and potential motions were discussed. Chairman Henderson moved, seconded by Selectman Multer that Selectman Multer withdraws her motion and substitute with: The Board execute the MOU and open negotiations by April 15, 2011 with the Library for the next period's MOU; motion passed 3-0.

**8. Consider Requests for Proposals for Energy Efficient Improvements to Certain Town-Owned Buildings: Town Office, Recycling Center and Television Studio:** Chairman Henderson noted he and Selectman Multer will submit any suggested changes and moved, seconded by Selectman Wallace to table the item to January 6, 2011; motion passed 3-0.

**9. Consider Animal Control Ordinance Amendment Re: Penalty for Nuisance Dogs:** Chairman Henderson stated the Town's Animal Control Ordinance doesn't contain a fine for nuisance dogs conducting acts such as littering and he feels the proposed ordinance amendment [referencing the State statute] seems reasonable. Selectman Multer expressed concern that the State statute language regarding the fine is not clear regarding the second violation as it contains language for the first violation and then amounts for "2 or more violations" without directly addressing the second violation. Selectman Multer asked for a legal opinion regarding the "2 or more" language before agreeing to proceed with the amendment. The Board reached a consensus for more information.

**10. Acceptance of Donations for Harpswell Heating Assistance Program:** Chairman Henderson moved, seconded by Selectman Wallace to accept, with thanks, a \$100 donation from the John Leo Murray Jr. Post 171,

\$200 from Adam & Joan Smith, \$100 from the Elijah Kellogg Church Deacon's Fund and \$150 from Handy Harley, all for the Harpswell Heating Assistance Program; motion passed 3-0.

#### 11. Appointments

- **Fire & Rescue (Strategic Planning):** Chairman Henderson stated the Board has appointed 2 of 3 general public positions and Katherine Chatterjee has spoken with Selectman Multer regarding her interest to serve. Selectman Multer moved, seconded by Chairman Henderson to appoint Katherine Chatterjee to the Fire & Rescue Committee; motion passed 3-0.
- **Appointed Official:** Chairman Henderson moved to appoint Albert Farris retroactively for December 21 and 22 as Local Plumbing Inspector (LPI); motion passed 3-0. Chairman Henderson noted Mr. Farris has been appointed in the past to fill in for the Town's LPI. Selectman Multer noted this appointment was due as Bill Wells was concerned about a conflict of interest for a site; a site apparently connected to Mr. Wells.
- **Registrar and Deputy Registrar of Voters:** Chairman Henderson moved, seconded by Selectman Multer to appoint Rosalind Knight as Registrar of Voters to January 1, 2013 and Catherine Doughty, Shirley Thompson, Pauline Toothaker and Carol Jean Richter as Deputy Registrar of Voters to January 1, 2013; motion passed 3-0.

**12. Other Business:** There was none.

**13. Authorization of the Warrant:** Chairman Henderson moved, seconded by Selectman Multer to authorize warrant #86 in the amount of \$3177.69; motion passed 2-0 (Selectman Wallace abstained). Chairman Henderson moved, seconded by Selectman Multer to authorize warrant #85 in the amount of \$38,093.65; motion passed 3-0. Payroll warrant #53 in the amount of \$13,580.30 and 53a in the amount of \$200.00 were noted for the record.

**14. Public Comment:** None.

**15. Adjournment:** The meeting adjourned by unanimous vote at 7:50 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer

Attachments:

[Attachments are available at the Town Clerk's Office or by email at [harpswell@town.harpswell.me.us](mailto:harpswell@town.harpswell.me.us)]